

REMARKS/ARGUMENTS

Claims 1-15 are pending in the application. Claims 1-4 were rejected and claims 5-8 were found to be allowable. Applicant, by this paper, amends claim 1 and adds new claims 9-15. No new matter is added by amendment. Applicant respectfully requests reconsideration and allowance of all pending claims.

Discussion of Rejections Under 35 U.S.C. §103

Claims 1-4 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,539,006 to Taylor (hereinafter Taylor) in view of U.S. Patent No. 6,275,483 to Papasakellariou et al. (hereinafter Papasakellariou).

To establish a *prima facie* case of obviousness, the prior art reference, or references when combined, must teach or suggest all of the claim limitations.

Applicant contends that a *prima facie* case for obviousness has not been established and respectfully traverses the rejections. In particular, Applicant contends that the references, either alone or in combination, fail to teach or suggest all claimed features.

Claim 1 recites a remote terminal in a communication system. The remote terminal includes:

- a rake receiver coupled to the first receiver and operative to receive and process the samples to provide time measurements indicative of times of arrival of transmissions received at the remote terminal from a plurality of base stations; and
- a reference oscillator configured to generate a clock signal used by the rake receiver,

...

wherein finger processors assigned to base stations in the first and second sets are operative to perform the time measurements on the transmissions received from the base stations, and

wherein *the finger processors perform the time measurements within a time period between updates of the reference oscillator. (emphasis added).*

Support for Applicant's amendment to claim 1 can be found throughout the Specification, as filed. In particular, support for the reference oscillator and the time period for performing the time measurements can be found, for example, at paragraphs [0059] through [0060] of Applicant's Specification, as filed.

Claim 1 is believed to be allowable over Taylor in view of Papasakellariou because the cited references, whether alone or in combination, fail to teach or suggest at least this claimed element.

Neither Taylor nor Papasakellariou describes updating of a reference oscillator used by the rake receiver. Additionally, the cited references, whether alone or in combination, fail to teach or suggest that the finger processors perform the time measurements within a time period between updates of the reference oscillator.

Indeed, the Examiner concedes that “Taylor does not disclose the rake receiver is operative to provide time measurements indicative of times of arrival of transmissions received at the remote terminal from a plurality of base stations.” *Office Action*, at page 3. Thus, because Taylor fails to teach or suggest a rake receiver making time measurements from a plurality of base stations, Taylor necessarily fails to teach or suggest a time period for making such time measurements.

Papasakellariou fails to describe any update of a reference oscillator used by a rake receiver and thus fails to cure deficiencies in the Taylor reference. Thus, the combination of Papasakellariou with Taylor fails to cure the deficiencies in each reference alone, and thus the combination fails to teach or suggest every claimed feature.

Applicant respectfully requests reconsideration and allowance of claim 1.

Claims 2-4 depend from claim 1 and are believed to be allowable at least for the reason that they depend from an allowable base claim. Applicant respectfully requests reconsideration and allowance of claims 2-4.

Discussion of New Claims

Applicant adds **new claims 9-15**. No new matter is added by amendment. Support for each of the new claims can be found throughout Applicant's Specification as filed.

Support for claim 9 can be found, for example, at paragraph [0061].

Support for claim 10 can be found, for example, at paragraph [0062].

Support for claim 11 can be found, for example, at paragraph [0059].

Support for claim 12 can be found, for example, at paragraph [0032] and [0045].

Support for claim 13 can be found, for example, at paragraph [0057].

Support for claim 14 can be found, for example, at paragraph [0064].

Support for claim 15 can be found, for example, at paragraph [0048]-[0049].

Each of claims 9-15 depend from claim 5, and the Examiner has indicated that claim 5 is allowable. Thus, claims 9-15 are believed to be allowable at least for the reason that they depend from an allowable base claim. Applicant respectfully requests allowance of new claims 9-15.

CONCLUSION

Applicant believes that all claims pending in the application are allowable. Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that the instant response is filed within the Shortened Statutory period for response provided in the Office Action of July 12, 2007.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

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